

Remarks

In response to the Office Action mailed August 11, 2005 ("the 8/11/2005 Office Action"), claims 1, 2, 4, and 5 have been amended. Claims 6-25 have been added. No claims have been cancelled. Therefore, claims 1-25 are pending. Support for the instant amendments is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing amendments and the following comments, allowance of all the claims pending in the application is requested.

Specification

The objection to the specification has been addressed in the section above entitled "**Amendments to the Specification.**" Thus, the objection should be withdrawn.

Information Disclosure Statement (IDS)

Applicants hereby acknowledge receipt of initialed and signed copies of PTO-1449 forms corresponding to IDSs filed July 15, 2002, March 22, 2005, and May 23, 2005, which indicate that the Examiner has considered all of the references provided therein. Applicants also received a signed copy of a PTO-1449 form corresponding to an IDS filed August 5, 2004 ("the 8/05/2004 IDS"). However, the Examiner failed to initial next to all of the references included in the 8/05/2004 IDS. Applicants request that the Examiner provide an initialed and signed copy of the PTO-1449 form corresponding to the 8/05/2004 IDS that acknowledges that all of the references included in the 8/05/2004 IDS have been considered by the Examiner.

In the Office Communication mailed December 1, 2005, the Examiner alleges that the IDS filed September 2, 2005 was not signed and could not be entered into the system. However, the IDS filed September 2, 2005 ("the 9/02/2005 IDS"), was filed electronically, and therefore was electronically signed for submission. If the 9/02/2005 IDS had not been electronically signed, it could not have been submitted. Accordingly Applicants that the Examiner provide an initialed and signed copy of the PTO-1449

corresponding to the 9/02/2005 IDS that acknowledges that all of the references included in the 9/02/2005 IDS have been considered by the Examiner.

Rejections Under 35 U.S.C. § 101

Claim 2 stands rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. More particularly, the Examiner asserts that the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine. See the 8/11/2005 Office Action at page 3. This is not a proper grounds for a rejection under §101. However, solely in an effort to expedite prosecution, Applicants have amended claim 2 to obviate this rejection.

Claims 4 and 5 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Specifically, the Examiner alleges that these claims recite a human (allegedly recited as “an affinity worker”) as a claim feature. See the 8/11/2005 Office Action at page 3. The Examiner provides no support for his position that the affinity worker is a human. In fact, this is an inaccurate characterization of the term “affinity worker” by the Examiner, which is described with in the specification, in an exemplary embodiment, as being a component of a multithreaded server task. See the specification at page 12, lines 4-8. However, due to amendments to claims 4 and 5 made by this Response, this rejection is moot.

Rejection Under 35 U.S.C. § 102

Claims 1-5 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 4,744,028 to Karmarkar (“Karmarkar”). Applicants traverse this rejection on the grounds that Karmarkar does not disclose all of the features of the claimed invention.

Claim 1 recites, *inter alia*, “a discovery server that creates and maintains a knowledge map representing relationships between the documents stored in the data repository and a plurality of categories.” In an exemplary embodiment, a knowledge

map may include a taxonomy representative of relationships between organizational resources. See the specification at page 5, lines 6-14. In one embodiment, the taxonomy may include categorizing information into high-level categories, some of which may further contain sub-categories, and so on. See *id.* at page 5, lines 15-20.

In contrast, Karmarkar is apparently drawn to systems for resource allocation among a plurality of resource users to optimize technological and industrial resource allocation. See Karmarkar at col. 1, lines 6-12. The Examiner asserts that a process for determining the per unit costs of various possible allocations of resources, disclosed in Karmarkar at col. 11, lines 18-34 and col. 13, lines 44-48, would result in the creation of a knowledge map. See the 8/11/2005 Office Action at page 3. However, the costs calculated in Karmarkar are costs associated with resource allocation, and do not represent relationships between documents and categories. Therefore, Karmarkar does not disclose a discovery server that creates and maintains a knowledge map representing relationships between the documents stored in the data repository and a plurality of categories. For at least this reason, the rejection of claim 1 should be withdrawn.

Claim 2 includes "calculating a metric value proportional to a product of the raw metric value and the constant value," among other things. Claim 3 recites similar subject matter, among other things. In an exemplary embodiment, a raw metric value may correspond to a count of a certain type of action. A metric value may then be determined from the raw metric value by multiplying the raw metric value by a constant that is assigned to the raw metric based on a ranking of the action that corresponds to the raw metric. See the specification at page 16, lines 10-22; and Table 1.

The Examiner asserts that this feature is disclosed in Karmarkar at FIG. 4, element 167. See the 8/05/2005 Office Action. However, decision box 167 of Karmarkar appears to function to terminate a procedure when no significant improvement in the objective function is observed, or beginning another iteration if improvement is still being made. See Karmarkar at col. 7, lines 26-30. Within FIG. 4, Karmarkar appears to disclose determining whether improvement is still being made by

taking a quotient of two values. Karmarkar does not disclose calculating a metric value proportional to a product of the raw metric value and the constant value. For at least this reason, the rejection of claims 2 and 3 should be withdrawn.

Claim 4 recites, *inter alia*, a metrics affinity module that sends at least one message to a user mailbox associated with the user according to a predetermined setting, the at least one message regarding the calculated affinity values. Claim 5 includes similar subject matter, among other things. In an exemplary embodiment, a metrics affinity worker may send out a message (e.g., an e-mail message) with a proposal of discovered affinities to a user. See the specification at page 14, lines 7-10. The metrics affinity worker may send out a message based on an affinity value rising above a pre-determined threshold. See *id.* at page 11, lines 5-9.

The Examiner asserts that this feature is anticipated by element 167 of FIG. 4. The disclosure of Karmarkar with respect to this element was discussed above, and appears to describe a process step that decides whether to end a process, or initiate another iteration. However, Karmarkar does not teach a metrics affinity module that sends at least one message to a user mailbox associated with the user according to a predetermined setting, the at least one message regarding the calculated affinity values. For at least this reason, the rejection of claims 4 and 5 should be withdrawn.

Newly Added Claims

Claims 6-25 have been added by this Response. These claims depend from corresponding ones of independent claims 1-5, and therefore, are allowable for the reasons discussed above, as well as for the features that they add to the independent claims.

CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: December 20, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sean L. Ingram', written over a horizontal line.

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